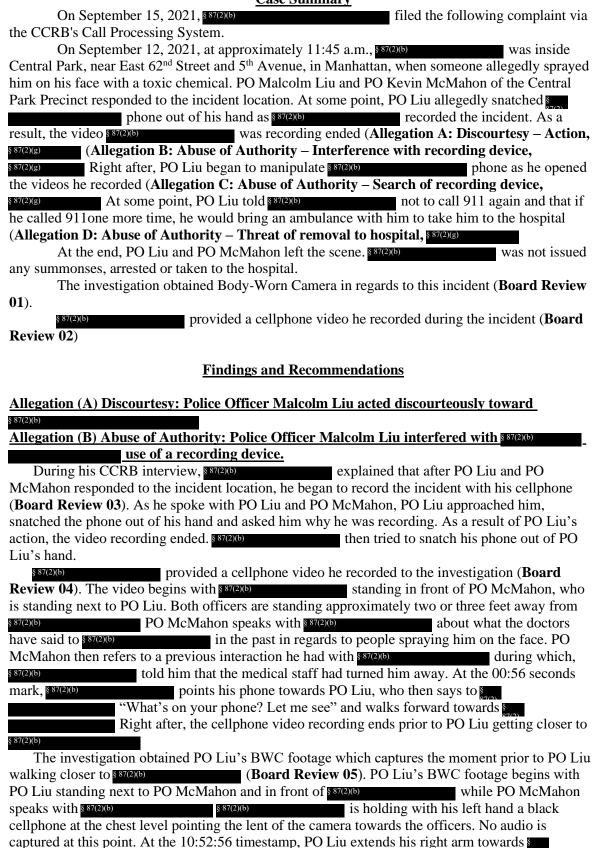
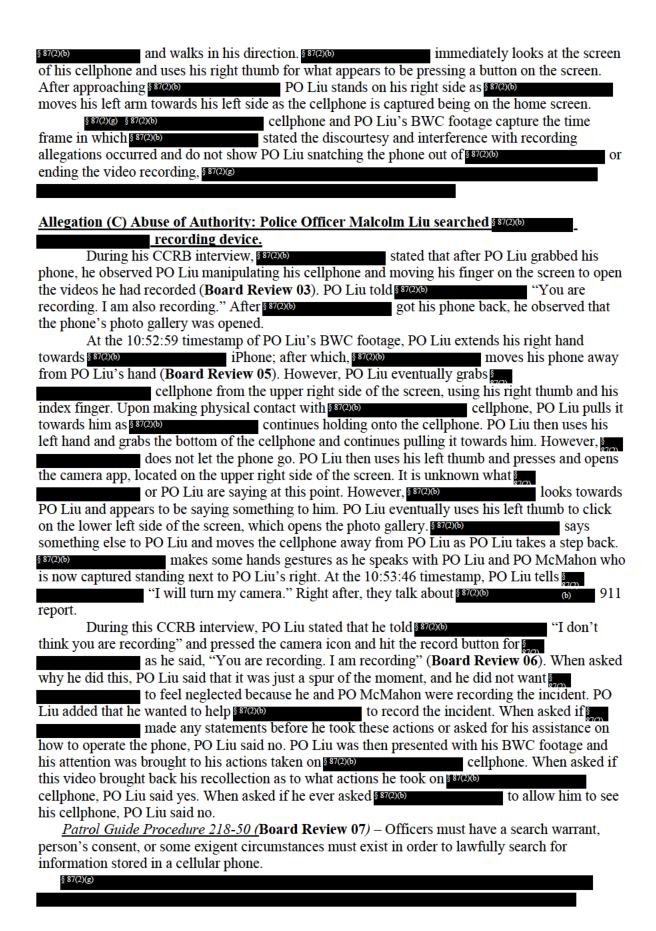
CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	☐]	Force	V	Discourt.	U.S.
Juan Arango		Squad #09	202105543	V	Abuse		O.L.	☐ Injury
Incident Date(s)		Location of Incident:			18 M	o. SC	DL	Precinct:
Sunday, 09/12/2021 11:45 AM		Inside Central Park at E and 5th Avenue; at the			3/12	2/202	3	
Date/Time CV Reported		CV Reported At:	How CV Reported:	I	Date/Time	Rece	eived at CCI	≀B
Wed, 09/15/2021 4:52 PM		CCRB	Call Processing System	1	Wed, 09/1	5/202	21 4:52 PM	
Complainant/Victim	Туре	Home Addre	ss					
Witness(es) Home Address								
Subject Officer(s)	Shield	TaxID	Command					
1. POM Malcolm Liu	08825	932906	СРК РСТ					
Witness Officer(s)	Shield N	o Tax No	Cmd Name					
1. PO Kevin Mcmahon	07453	939000	СРК РСТ					
2. PO Benjamin Beiro	07399	953673	СРК РСТ					
3. PO Nicholas Noto	20757	959848	СРК РСТ					
Officer(s)	Allegatio	n			Inve	stiga	tor Recon	nmendation
A . POM Malcolm Liu	Discourtesy: Police Officer Malcolm Liu acted discourteously toward [887(2)(b)							
B . POM Malcolm Liu	Abuse: Police Officer Malcolm Liu interfered with use of a recording device.							
C . POM Malcolm Liu	Abuse: Police Officer Malcolm Liu searched §87(2)(b) recording device.							
D . POM Malcolm Liu	Abuse: Police Officer Malcolm Liu threatened to remove							

Case Summary



CCRB Case # 202105543



CCRB Case # 202105543

§ 87(2)(g)
Allegation (D) Abuse of Authority: Police Officer Malcolm Liu threatened to remove
to the hospital.
It is undisputed that serons called 911 to report that someone had sprayed
him on his eyes with a chemical, but PO Liu and PO McMahon did not find any evidence that the
alleged crime had taken place and \$87000 eventually refused medical attention. It is
also undisputed that PO McMahon had responded to previous 911 calls made by involving the same unfounded allegations. It is undisputed that
presented signs of being mentally ill as he alleged that his former landlord
financed a plot against him and had sent "thousands" of people to harass him and spray him with a
toxic poison.
At the 10:54:09 timestamp of PO Liu's BWC footage, PO Liu tells \$87(2)(6)
"I am recording to let you know that nothing happened to you. You keep on doing this, we are
going to send you to the hospital to get mentally" (Board Review 05). At the 10:54:49
timestamp, PO McMahon asks (**7200) "Right now, you don't need medical attention, correct?" (**7200) replies, "Yes, sir." Right after, PO McMahon cancels
attention, correct?" replies, "Yes, sir." Right after, PO McMahon cancels
EMS over the radio. At the 10:55:16 timestamp, PO Liu tells \$87000 "As far as right now, you don't need EMS to check your eyes, right?" \$87000 says no. At the
now, you don't need EMS to check your eyes, right?" \$87(2)(6) says no. At the
10:57:14 timestamp, PO Liu tells \$57(2)(0) that they are going to leave to look for someone who is missing. \$57(2)(0) replies, "Okay. No law for me." In response, PO
someone who is missing. [87(2)(6)] replies, "Okay. No law for me." In response, PO
Liu says to him, "You call again for the same thing and nothing happened, then you are going to go
to the hospital, I guarantee you. I promise you; I will get you checked out from head to toes.
alright? If you call again for the same thing. Take care." PO Liu begins to walk away and the video ends.
During this CCRB interview, PO Liu explained that \$87(2)(0) did not appear
to have been sprayed with any chemicals on his eyes given that he did not have any redness (Board
Review 06). PO Liu acknowledged offering medical attention to \$870,000 multiple
times and said that \$87(2)(6) refused the offer. PO Liu described
demeanor as not being clear and explained that he was mumbling about
different things. PO Liu stated that \$87(2)(b) had a sign about an individual and poison
control but PO Liu did not understand much of what saving in regards to
the sign. PO Liu stated that 887000 would not answer his questions and just jumped
from one topic to another. PO Liu independently stated that at the end, he told
that he could not keep calling 911 for the same issue because he was abusing the
system and that if he called again and nothing happened, they would send him to the hospital. PO
Liu explained that officers are allowed to warn people about not abusing the 911 system and that
given that \$87000 did not have a normal behavior, he believed \$87000
probably needed to be evaluated at the hospital. PO Liu agreed with his counsel's statement about warning [887(2)0] to deter him from making 911 calls of the same nature, prevent him
from making a false report and giving him the necessary mental health help. PO Liu did not believe
was a threat to himself or to others during this incident.
Patrol Guide Procedure 221-13 (Board Review 08) states that an officer must take into
protective custody and have removed to the hospital in an ambulance, any person who appears to be
mentally ill or temporarily deranged and is conducting himself in a manner which a police officer
reasonably believes is likely to result in serious injury to himself or others.
Although it is undisputed that strong showed signs of mental illness, PO Liu
never believed § \$7(2)(b) to be a threat to himself or to others. § \$7(2)(c)

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint to which satisfies the first CC
- PO Liu has been a member of service for 18 and has been a subject in five CCRB complaints and 12 allegations, of which one was substantiated:
 - 200817795 involved substantiated allegations of Stop against PO Liu The Board recommended charges and the NYPD imposed instruction.

Mediation, Civil, and Criminal Histories

- This complaint was not suitable for mediation.
- As of March 14, 2022, the New York City Office of the Comptroller has no record of a Notice of Claim being filed in regards to this complaint (Board Review 11).

[§ 8/(2)(6)] [§§ 86(1)	(3)&(4)] [§ 87(2)(c)]		
Squad:	9		
Investigator:	Juan Arango Signature	Inv. Juan Arango Print Title & Name	
Squad Leader: _	Wassim Abedrabbo Signature	IM W. Abedrabbo Print Title & Name	11/07/2022 Date
Reviewer:	Signature	Print Title & Name	Date